

Message Text

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L STATE 255989

FOLLOWING REPEAT SANTIAGO 8672 ACTION SECSTATE IMMEDIATE
OCT 24

QUOTE: C O N F I D E N T I A L SANTIAGO 8672

FOR DELIVERY OPENING OF BUSINESS OCTOBER 25

E.O. 11652: GDS

TAGS: SHUM SREF CI

SUBJECT: CHILEAN PRISONER RELEASE PLAN

REF: A) STATE 249735 B) SANTIAGO 8176

1. OCTOBER 25 LOCAL ICEM REP KOZAK PLANS TO MEET WITH DIRECTOR
GENERAL OF CHILEAN
FOREIGN MINISTRY LAVIN. KOZAK WILL TABLE PROPOSED PRESS
STATEMENT EMBODYING THE TRADE-OFF OF THE RELEASE OF REMAINING
POLITICAL/SECURITY PRISONERS BY GOC IN RETURN FOR KUDOS FROM ICEM.

2. THE PRESS RELEASE IS TRANSLATED INFORMALLY AS FOLLOWS:

QUOTE ACTIVITIES OF ICEM IN CHILE WITH RESPECT TO REFUGEES AND
DETAINEES ON (DATE TO BE FILLED IN) THE CHILEAN GOVERNMENT
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OFFICIALLY INFORMED THE INTER-GOVERNMENTAL COMMITTEE ON EUROPEAN
MIGRATION (ICEM) THAT THE PRESIDENT OF THE REPUBLIC HAD DECIDED TO
COMMUTE THE PRISON SENTENCES TO EXILE OF ALL THE PEOPLE WHO HAVE
VISAS EXTENDED BY FOREIGN GOVERNMENTS AND WHO CURRENTLY ARE
SERVING TIME FOR INFRACTIONS OF THE INTERNAL SECURITY LAW.

THIS DECISION WILL PERMIT THE DEPARTURE FROM CHILE WITHIN THE

NEXT FEW DAYS OF 81 PEOPLE AND WILL MEAN THAT A TOTAL OF 1,122 PEOPLE SERVING SENTENCES WILL HAVE BEEN RELOCATED ABROAD--INCLUDING 46 SENTENCED TO LIFE.

IN ADDITION, FOREIGN GOVERNMENTS HAVE ACCENTED 587 PEOPLE DETAINED WITHOUT CHARGE UNDER THE STATE OF SIEGE LAW AND 71 SENTENCED TO EXILE. IN SUM, THE NUMBER OF PEOPLE RELOCATED ABROAD UNDER THE AUSPICES OF ICEM IN ACCORDANCE WITH THESE PROGRAMS WILL TOTAL 1,780.

WITH RESPECT TO THESE PEOPLE WHO DO NOT HAVE VISAS OR THOSE WHO CANNOT BENEFIT FROM THE PRESIDENT'S DECISION BECAUSE THEIR TRIALS HAVE NOT BEEN COMPLETED, COMPETENT AUTHORITIES HAVE GIVEN ICEM ASSURANCES THAT CURRENT AGREEMENTS WILL CONTINUE IN FORCE SO THAT THESE CASES MAY BE DEALT WITH ON A TIMELY BASIS.

THESE PROGRAMS HAVING BEEN BASICALLY COMPLETED--AND THEY ARE UNPRECEDENTED--ICEM CONSIDERS IT A PROPITIOUS MOMENT TO MAKE AN ACCOUNTING OF THE SPECIAL ACTIVITIES CARRIED OUT IN THIS COUNTRY DURING THE LAST FEW YEARS.

THE FIRST SPECIAL PROGRAM OF THE COMMITTEE IN THIS COUNTRY STEMMED FROM A REQUEST BY THE GOVERNMENT OF CHILE IN SEPTEMBER 1973 WHEREBY ICEM WORKED WITH THE UNHCR TO RELOCATE FOREIGN REFUGEES WHO WISHED TO, OR WERE REQUIRED TO, LEAVE THE COUNTRY.

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AT THE SAME TIME, AT THE REQUEST OF FOREIGN GOVERNMENTS, ICEM HELPED TO MOVE ABROAD PEOPLE WHO HAD FOUND ASYLUM IN DIPLOMATIC MISSIONS IN SANTIAGO.

SUBSEQUENTLY, ON DECEMBER 4, 1974, AN AGREEMENT WAS SIGNED WITH THE GOVERNMENT OF CHILE WHICH PERMITTED THE BEGINNING OF THE PROGRAM ALLOWING THOSE DETAINED UNDER THE STATE OF SIEGE LAW TO LEAVE THE COUNTRY.

FINALLY, BY MEANS OF AN AGREEMENT WITH THE GOVERNMENT OF CHILE IN MAY 1975 A PLAN TO RESETTLE ABROAD THROUGH COMMUTATION OF SENTENCE THOSE CONVICTED OF VIOLATIONS OF INTERNAL SECURITY LAW, CAME INTO EFFECT.

PEOPLE RESETTLED IN OTHER COUNTRIES WITHIN THESE SPECIAL PROGRAMS, I.E., EX-DETAINEES AND PERSONS TO WHOM VARIOUS GOVERNMENTS EXTENDED VISAS--AS WELL AS TO THEIR DIRECT FAMILIES--TOTALLED 17,450 AND WERE RELOCATED IN MORE THAN 40 COUNTRIES.

IN MAKING KNOWN THESE IMPRESSIVE FIGURES REGARDING ITS SPECIAL PROGRAMS IN CHILE, ICEM IS PARTICULARLY PLEASED TO UNDERSCORE THE COOPERATION RECEIVED FROM FOREIGN GOVERNMENTS AND OTHER INTER-

NATIONAL AND CHILEAN ORGANIZATIONS.

ICEM'S WORK HAS BEEN GREATLY FACILITATED BY TWO MEASURES UNDERTAKEN BY CHILEAN AUTHORITIES: THE AUTHORIZATION FOR ICEM FREELY TO VISIT DETENTION CENTERS AND TO MEET PRIVATELY, WITHOUT WITNESSES, WITH PEOPLE DETAINED OR CONVICTED WHO MIGHT BE ELIGIBLE FOR THESE PROGRAMS; AND, THE GOVERNMENT'S GRANTING OF A 40 PERCENT REDUCTION IN THE AIR FARES--AND TAX EXEMPTION FOR THE TICKETS--FOR ALL BENEFICIARIES OF THESE PROGRAMS.

ICEM FEELS OBLIGED TO POINT OUT THAT THE ACHIEVEMENTS REACHED ARE DUE PRINCIPALLY TO THE UNDERSTANDING OF ICEM'S GOALS BY THE GOVERNMENT OF CHILE AND TO THE COLLABORATION OFFERED BY CHILEAN AUTHORITIES. WITHOUT THEM, IT WOULD HAVE BEEN IMPOSSIBLE TO IM-
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PLEMENT THIS IMMEDIATELY HUMANITARIAN UNDERTAKING, CARRIED OUT WITH THE EXPERIENCE AND PROFESSIONALISM ICEM HAS GAINED DURING ITS 26 YEARS OF ACTIVITY, DURING WHICH IT HAS RESETTLED IN OTHER COUNTRIES MORE THAN 2,200,000 PEOPLE.

INSPIRED BY THIS SAME SPIRIT AND IN THE CERTAINTY THAT IT WILL CONTINUE TO BE ABLE TO COUNT UPON THE UNDERSTANDING AND ASSISTANCE OF CHILEAN AUTHORITIES AS WELL AS THAT OF THE INTERNATIONAL COMMUNITY, ICEM WILL CONTINUE TO COLLABORATE WHEREVER IT IS NEEDED--OPERATING FOR PURELY HUMANITARIAN REASONS AND COMPLETELY APART FROM ANY POLITICAL, RACIAL, RELIGIOUS OR PHILOSOPHIC CONSIDERATIONS--BASIC AND IMMUTABLE GUIDELINES OF THE INSTITUTION. UNQUOTE.

3. KOZAK WILL EXPLAIN TO LAVIN THAT THE USG BECAME AWARE OF HIS PLAN IN THE COURSE OF INQUIRING ABOUT THE FOUR PRISONER WITH US VISAS WHOSE DECREE 504 COMMUTATION PETITIONS HAD BEEN REJECTED PREVIOUSLY. IN ORDER TO PROTECT KOZAK, DEPT AND USUN SHOULD ONLY REFER TO PROPOSED DEAL IN GENERAL TERMS WITHOUT LETTING GOC KNOW WE ARE IN POSSESSION OF TEXT. WE WILL DO LIKEWISE. ALSO, THE GOC MAY WISH TO NEGOTIATE TEXT AND FINAL VERSION MAY DIFFER SLIGHTLY FROM THE ABOVE.

4. TEXT OF RELEASE FOLLOWS THE SUBSTANCE OF REF B (81 PLUS 26 IN PROCESS WITH VISAS PLUS 57 WITHOUT VISAS EQUALLING 170). IN ADDITION KOZAK WILL EXPLAIN ORALLY TO LAVIN ICEM'S HOPE THAT THE GOC WILL CONSIDER ON A CASE-BY-CASE BASIS APPLICATION OF DECREE 504-TYPE COMMUTATIONS TO ADDITIONAL PEOPLE EITHER CONVICTED BEFORE THE COUP (THE VALPARAISO CASES) OR CHARGED WITH CRIMINAL OFFENSES FOR ESSENTIALLY POLITICAL REASONS. KOZAK BELIEVES THAT PARA FOUR OF HIS TEXT CAN BE CONSTRUED TO INCLUDE SUCH CASES.

5. I WILL BE SEEKING AN APPOINTMENT WITH PRESIDENT PINOCHET FOR FRIDAY, OCTOBER 28. ACCORDINGLY, REPRESENTATIONS TO CAUAS AND
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DIEZ OUTLINED OUR SUPPORT FOR ICEM'S PLAN SHOULD BE MADE ON WEDNESDAY, OCTOBER 26, IF POSSIBLE. THE PRESENTATIONS TO CAUAS AND DIEZ SHOULD, OF COURSE, CLOSELY PARALLEL THE POINTS I HAVE BEEN INSTRUCTED TO MAKE TO PINOCHET. WE RECOMMEND THE FOLLOWING:

-- IN ORDER TO PROTECT KOZAK'S POSITION, CAUAS AND DIEZ SHOULD BE TOLD THAT THE USG LEARNED OF THE PLAN WHILE SEEKING INFORMATION ON OUR OWN 504 CASES;

-- WE SUPPORT THE IDEA OF COMMUTATIONS FOR ALL DECREE-504-ELIGIBLE CASES AS SOON AS VISAS ARE AVAILABLE AND A CONTINUATION OF THE PROGRAM TO COVER THOSE WHO STILL DO NOT HAVE VISAS OR WHOSE CASES ARE IN TRIAL PROCESS;

-- WE HOPE THAT RELATED CASES WILL BE GIVEN INDIVIDUAL REVIEW TO SEE IF 504-TYPE COMMUTATIONS MIGHT APPLY;

-- WE BELIEVE THE PROPOSAL, IF ACCEPTED BY THE GOC, WOULD IMPROVE US-GOC RELATIONS AND CONTRIBUTE IMPORTANTLY TO A BETTER COMPREHENSION OF THE CHILEAN SITUATION IN THE WORLD IN GENERAL AND THE UNGA IN PARTICULAR; AND

-- IN THE CONTEXT OF GOC AGREEMENT TO THE ICEM PROPOSAL THE USG IS PREPARED TO:

A) WORK PUBLIC RECOGNITION INTO PRESS BRIEFING OR OFFICIAL STATEMENT AND MAKE GENUINE EFFORT TO ENSURE IT IS NOTICED; B) UNDERTAKE TO ENSURE THAT STEP NOTED IN ANY RESOLUTION IN UN OR OAS ON CHILE; AND C) PRESENT USG RELEASES AS NATURAL FOLLOW-ON TO PRESIDENTIAL MEETING AND TO SERIES OF SIMILAR STEPS FOR WHICH WE HAVE GIVEN CREDIT TO CHILE IN PAST SEVERAL MONTHS.

6. WOULD BE MOST HELPFUL FOR ME TO HAVE THE RESULTS OF THE CONVERSATIONS WITH CAUAS AND DIEZ BEFORE BEARDING THE LION ON FRIDAY.

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UNQUOTE VANCE

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